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November 23, 2012

Mr. Tom Nash
MuckRock News
DEPT MR 2178
PO Box 55819
Boston, MA 02205-5819

Re: Public Records Request Regarding Employee Salary and Vendor Payments for the Period 2009-2012

Dear Mr. Nash:

We are in receipt of your email dated November 15, 2012. As the custodian of the records of Massachusetts Development Finance Agency, a body politic and corporate established by Chapter 23G of the Massachusetts General Laws ("MassDevelopment"), I hereby respond pursuant to the provisions of M.G.L. c.66 s. 10 and 950 CMR 32.00 to the above referenced request for examination of public records by providing the enclosed documents.

Also, please note that certain documents that you requested may include materials exempted by M.G.L. c.4, s.7, cl 26 from the definition of "public records" because they fall within one or more of the following exemptions:

1. Subclause (a) of clause 26 of M. G. L. c. 4, s.7, which exempts records "specifically or by necessary implication exempted from disclosure by statute" which would exempt certain records under other statutes including M.G.L. c. 30A, section 11 A 1/2;
2. Subclause (c) of clause 26 of M.G.L. c. 4, s.7, which exempts "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy";
3. Subclause (d) of clause 26 of M.G. L. c. 4, s. 7, which exempts "inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency";

4. Subclause (e) of clause 26 of M.G.L. c. 4, s.7, which exempts “notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit”.

Additionally, certain documents are exempt under the Attorney Client Privilege. Documents falling within the listed exemptions or covered by the Attorney Client Privilege are not provided.

We hereby reserve all of our rights under these exemptions and under all applicable laws.

As a gesture of good faith, MassDevelopment intends to waive any charges for search time, segregation time and copying, although it reserves its rights to impose any and all charges provided for by law in the event such search and copying services become onerous. In such case, we will call you to inform you of such costs.

Please feel free to contact me with any questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Catherine Blue".

Catherine Blue
General Counsel